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Commission on Human Rights

45th Session

Item 9

Statement by Ambassador Rafael Branco

Delegation of S. Tomé e Principe

Geneva, 6th February 1989

Mr. Chairman,

> "No nation should try to extend its power over any other nation or people but rather, every people should be free to determine its own way of development without restraints, free from threat or fear, the small nations as much the great and powerful ones".

These words were used by Woodrow Wilson, a president of a great nation during the first quarter of this century. Since then the right of peoples to self-determination has become, through its incorporation in the United Nations Charter and in the Universal Declaration of Human Rights, and other international instruments, a fundamental principle of international relations.

Unlike many rules and principles that govern the prevailing system of international relations, the development and implementation of the right of peoples to self-determination has received an important contribution from the peoples and nations of Africa, Asia and Latin America. Indeed our commitment to the right of self-determination is the "raison d'être" of our existence as sovereign states and our heroic struggles for national liberation are landmarks of our contribution to the high ideals of freedom, justice, peace and self-determination.

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My delegation has been following with great interest statements regarding the scope and different assumptions arising from the concept of self-determination. We believe, and historic evidence so proves, that the right to self-determination doesn't apply only to peoples under direct foreign occupation and colonial domination. Therefore we understand the need to view this right in a broader context.

I must say, however, that the suggestion that one only standard, such as free and periodic elections, is a kind of ultimate test on self-determination, should be taken with caution, since it could give undue weight to formal aspects in prejudice of substantive ones: the right to vote, although formally established, may not sometimes fully translate into conditions for its exercise by all sectors of society, thus hindering a full popular participation. Moreover, one should not ignore that the very right of self-determination implies, or rather makes it imperative, to respect the freedom of choice concerning the system of government that best serves the interests, aspirations and traditions of each people.

We know too well, unfortunately, that human rights violations are taking place in countries that are not under colonial or foreign domination and that our concern for human dignity must be equal whatever the legal status under which people are living. What is relevant however for the purpose of our discussion of

item 9 is that wherever or whenever there is foreign occupation and colonial domination, there is always flagrant and gross violations of basic human rights. [I must add also that the end of colonial and foreign occupation and domination should not be seen as the final goal in the process of improvement of the human conditon]. Our annual debates on item 4 and the reports of the special committee to investigate israeli practices affecting the human rights of the population of the occupied territories and Palestine; under item 9 on Afghanistan Namibia, and South Africa; news coming from Kampuchea and other countries, are all painful evidence of our statement. Recent developments regarding the situation in Afghanistan, in Kampuchea, in Namibia and Western Sahara give us reason to hope, but also to be cautious and vigilant.

Speaking in Oslo, december last, the Secretary-General of the United Nations, Javier Perez de Cuellar said: "We are at a time of extraordinary hope and promise. After a long period when the specter and too often the grim reality of war has darkned our planet, there is a new mood of understanding and common sense, a new determination to make away from international conflict and devote ourselves to the immense task of building a better world".

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To explain this new mood one can find many reasons, first among others, undoubtly, the improvement of relations between the two superpowers. However if one looks deeper one can draw another important conclusion that time and again have been proven correct: No power can impose its will forever over a people determined to exercise its inalienable right to self-determination. Another important lesson to draw from the latest developments its that whenever the international community takes a firm and unambigous position and remains vigilant in its defense of international principles, people struggling for their rights find additional inspiration and courage to continue their struggle.

We must therefore congratulate ourselves for the progress taking place everywhere and increase our efforts in those situations where change for the better is slow to come.

But our commitment should be global and should be expressed towards any people, any situation where the right of self-determination has not yet been exercised.

Unfortunately, some situations of flagrant and gross violations of basic human rights seem to be covered by a conspiracy of silence or, worse, seem to be vitctim of geopolitical considerations.

I would like in this statement to draw the attention of this Commission to the situation prevailing in the territory of East-Timor, under Portuguese administration. Unlike my own country and other former Portuguese colonies in Africa - Angola, Mozambique

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Guiné-Bissau and Cape-Vert - the people of East-Timor have been prevented from exercising their right to self-determination by the invasion of the Armed Forces of Indonesia in 1975. Since the invasion, numerous non-governmental and governmental bodies have expressed concern and denounced gross violations of human rights occurrying in East-Timor. I would like to appeal to the members of this Commission to address this situation and to seek ways and means to convince the Governement of Indonesia to take advantage of the prevailing climate of good will and cooperation in international affairs in order to give the people of East Timor a fair opportunity to exercise their right to self-determination.

I believe that by acting in accordance with international principles, the Governement of Indonesia will be making an important contribution to the task of building a better world.

Mr. Chairman,

Before concluding allow me to express my delegation's satisfaction in seeing you presiding over our deliberations.

I would like to assure you of my delegation full cooperation and state our confidence in your qualities and experience as an advocate of human rights.

Thank you.